

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>ERIC D. Tereo,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-1436</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>DARRYL L. SMUCK, II,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 17th day of September, 2018, upon consideration of the motion (Doc. 60) *in limine* by defendant Darryl L. Smuck, II (“Officer Smuck”),<sup>1</sup> seeking to preclude any evidence concerning “mental illness, injury, disease[,] or depression” relating to plaintiff Eric D. Tereo (“Tereo”) as a result of the November 19, 2013 incident, (*id.* at 1, 3), and further upon consideration of Tereo’s response (Doc. 62) thereto, wherein Tereo agrees that he may not offer “evidence on the issue of medical causation of any physical or emotional injuries,” (*id.* at 2), and notes that he would have “stipulated to the requested relief” had he been given the opportunity to do so, (*id.*), it is hereby ORDERED that:

1. Officer Smuck’s motion (Doc. 60) *in limine* is GRANTED.

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<sup>1</sup> We note that the motion (Doc. 60) *in limine* was jointly filed by Officer Smuck and the Southern Regional Police Department prior to the Southern Regional Police Department’s termination as a party to the matter *sub judice*.

2. Tereo is precluded from offering any evidence of mental illness, injury, disease, or depression as a result of the November 19, 2013 incident at trial.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania